

MHN

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED CENTRAL BANK,

Plaintiff,

v.

KANAN FASHIONS, INC., CREATIVE
WAREHOUSING (CHICAGO), LLC, KANAN
CRUISES, INC., KANAN HOLDINGS, LLC,
VARSHA SHAH and MEHUL SHAH,

Defendants.

KANAN FASHIONS, INC., CREATIVE
WAREHOUSING (CHICAGO), LLC, KANAN
CRUISES, INC., KANAN HOLDINGS, LLC,
VARSHA SHAH and MEHUL SHAH,

Counterplaintiffs,

v.

UNITED CENTRAL BANK,

Counterdefendant.

FILED

NOV 4 2010
11-4-2010
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

No. 10 C 00331

The Honorable Gary Feinerman
Magistrate Judge Michael T. Mason

**FLESCH AND GLICKMAN'S RESPONSE
TO COURT ORDER TO FILE ESI CHRONOLOGY**

Respondents James A. Flesch and Don E. Glickman ("Flesch and Glickman"), for their Response to Court Order to File ESI Chronology, state as follows.

1. On November 4, 2010, Magistrate Judge Mason entered an order requiring respondents Flesch and Glickman to submit a statement of chronology regarding electronically stored information.
2. On October 28, 2010, Flesch and Glickman filed their Response to the Bank's Motion for Discovery Sanctions ("Response") (Docket No. 272).

3. In their Response, Flesch and Glickman explain that they had no involvement regarding the preservation, production or recovery of Defendants' electronically stored information. Flesch and Glickman further explain that they had no involvement with the CW server that gave rise to Plaintiffs' spoliation of evidence claim.

4. Flesch and Glickman cannot file an ESI chronology because they have no knowledge of any of the events or transactions regarding the presentation, production and recovery of Defendants' electronically stored information, or the CW server in dispute. All matters regarding Defendants' electronically stored information, including the CW server, were handled exclusively by attorney Allan Borlack or other attorneys at the Bailey, Borlack, Nadelhoffer and Carroll law firm, and/or Defendants themselves. None of these matters were handled by Flesch and Glickman and they have no knowledge of same. Accordingly, Flesch and Glickman cannot prepare an ESI chronology.

GLICKMAN, FLESCH & ROSENWEIN

Dated: November 4, 2010

By: /s/ James A. Flesch
One of Its Attorneys

James A. Flesch (#03127112)
Don E. Glickman (#00972525)
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CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of Flesch and Glickman's Response to Court Order to File ESI Chronology to be served by e-mail pursuant to the provisions of Fed.R.Civ.P. 5(b)(2)(D) to the following offices on November 4, 2010:

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/s/ James A. Flesch
One of the Attorneys for
Glickman, Flesch & Rosenwein